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December 28, 2012

By ECF

Honorable Vera M. Scanlon
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Government Employees Ins. Co., et al. v. Li-Elle Service, Inc., et al.
Docket No. CV 12-02157 (KAM)(VMS)
RR File No.: 5100-00508

Dear Magistrate Judge Scanlon:

I am writing pursuant to the Court's request for a status report regarding all efforts taken by Plaintiffs to serve Defendant Li-Elle Service, Inc. ("Li-Elle") and its principal with the motion for default judgment that was filed with the Court on September 6, 2012. Prior to commencement of this action and since filing the Complaint, Plaintiffs have attempted to establish the identity of Defendant's principal and his/her address for service of process and service of the motion for default judgment through the use of databases that have in the past proven useful in locating defendants for purposes of service of process. To date, however, Plaintiffs have been unable to identify Defendant Li-Elle's principal but has only been able to identify Li-Elle's business address.

As indicated in the Declaration of Justin A. Calabrese, Esq. (See, Docket Entry No. 10), Plaintiffs served Defendant Li-Elle with the motion for default judgment at its last known business address – 86-44 121 Street, Richmond Hill, NY 11418 – which was obtained through various public records searches. Furthermore, an inquiry with the New York State Department of State revealed that this address was specifically designated by Defendant's principal as the address to which New York Secretary of State should send any process that is served. Moreover, this address was listed on medical equipment delivery receipts utilized by Li-Elle during its regular course of business and which were submitted by Li-Elle and relied upon by Li-Elle in support of its hundreds of fraudulent claims for no-fault reimbursement. Nevertheless, the motion was returned to our office and marked "Not Deliverable as Addressed – Unable to Forward" and Plaintiffs thereafter filed the Certificate of Service with the Court. (See, Docket Entry No. 12).

Lastly, as indicated in the aforementioned Declaration of Justin A. Calabrese, Esq. and the Certificate of Service, Plaintiffs also served a copy of the motion for default judgment upon the New York State Secretary of State with the notion that the Secretary of State would forward the papers to



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the Defendants at the address provided by the Defendants to the State. Despite Plaintiffs' efforts, Defendants have failed to respond to the motion for default judgment.

We appreciate the Court's attention to this matter and are available to further discuss any issues should the Court require.

Respectfully submitted,

RIVKIN RADLER LLP

Justin A. Calabrese

A large, stylized handwritten signature in black ink, which appears to be "Justin A. Calabrese", is written over the typed name and extends upwards into the "Respectfully submitted," line.

JAC/